

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: J. Coronado et al.	Art Unit	: 3754
Serial No.	: 10/666,325	Examiner	: Casey Jacyna
Filed	: September 18, 2003	Conf. No.	: 8375
Title	: PREPARING AND DISPENSING MIXED BEVERAGES		

REPLY TO ACTION OF JUNE 21, 2007

The undersigned attorney and Examiner Jacyna participated in a telephonic interview on June 21, 2007. During that interview, it was agreed that the claim rejections set forth in the office action dated June 21, 2007 were improper. Examiner Jacyna noted that he would conduct a supplemental prior art search. For the record, Applicants submit the remarks provided below.

Claims 3-5, 9-18, 21, 22, 27-33, 40, and 52-68 were previously withdrawn, and claim 42 was previously cancelled. Claims 23-26, 34-39, 41 and 43-51 were indicated as being allowed. Claims 1, 2, 6-8, 19, 20, 23-26, 34-39, 41, 43-51, and 69-72 are presented for examination.

Claims 1, 2, 6, 19, 20, 69, and 70 were rejected under 35 U.S.C. § 102(b) as being anticipated by DiGirolamo (U.S. Patent No. 4,357,861). However, as acknowledged by the Examiner during the above-noted telephone interview, DiGirolamo does not disclose or suggest a beverage mixer and dispenser that includes a mixing chamber inside of a housing and a feed opening exposed at an exterior surface of the housing, the feed opening leading through the housing to the mixing chamber to allow the addition of drink additives (or a soluble substance) to the mixing chamber from outside of the beverage mixer and dispenser, as required by these claims. Therefore, Applicants request reconsideration and withdrawal of the rejection of claims 1, 2, 6, 19, 20, 69, and 70.

Claims 1, 2, 6-8, 19, 20, and 69-72 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Militello (DE 200 06 115) in view of Ogawa (U.S. Patent No. 4,191,101). But Militello and Ogawa, as acknowledged by the Examiner during the above-noted telephone interview, fail to disclose beverage mixers and dispensers that include a mixing chamber inside of a housing and a feed opening exposed at an exterior surface of the housing, the feed opening leading through the housing to the mixing chamber to allow the addition of drink additives (or a soluble substance) to the mixing chamber from outside of the beverage mixer and dispenser, as required by these claims, and a person of ordinary skill in the art would not have found it

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obvious to modify the devices of Militello and Ogawa to provide the above-noted features.  
Therefore, Applicants request reconsideration and withdrawal of the rejection of claims 1, 2, 6-8,  
19, 20, and 69-72.

Please apply any charges or credits to deposit account 06-1050, referencing attorney  
docket number 02894-595001.

Respectfully submitted,

Date: September 21, 2007



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